



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Rolf STEFANI et al.

Group Art Unit: 2617

Application No.: 10/642,627

Examiner: P. DESIR

Filed: August 19, 2003

Docket No.: 113391

For: SECURITY MESSENGER SYSTEM

SUMMARY OF THE SUBSTANCE OF THE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants' representative conducted a personal interview with Examiner Desir and his Supervisor on September 21, 2006. Applicants appreciate the courtesies shown to Applicants' representative during the personal interview. Applicants' separate summary of the substance of the personal interview is contained in the following remarks.

Applicants' representative began the personal interview by reviewing with the Examiners Applicants' Amendment filed on September 11, 2006 in response to the June 16, 2006 Office Action. Specifically, Applicants' representative highlighted the feature amended into the independent claims in which the at least one portable control and display unit on board an aircraft transmits and receives (1) data communication, (2) voice communication, and (3) video communication. Applicants' representative indicated that it was Applicants' belief that none of the applied prior art references taken alone, or in any permissible combination, could reasonably be considered to teach, or to have suggested, such a feature.

In response, the Examiners indicated their belief that U.S. Patent Publication No. 2003/0003872 to Brinkley et al. (hereinafter "Brinkley"), in its disclosure of a data communications apparatus which wirelessly communicates with a plurality of avionics units of an aircraft, inherently includes voice and/or video communication capability. Applicants' representative strongly traversed the Examiners' conclusion in this regard noting that Brinkley is directed to a method for wirelessly communicating data that is intended to overcome a shortfall in the ability of prior art hard-wired devices to upload and download the volume of data that may be required to periodically update flight management computers (see paragraphs [0003] of Brinkley. Examiner Desir indicated his belief that such arguments had not been completely made in Applicant's September 11 Amendment. Applicants' representative expressed concern that simply because a new Examiner had been assigned to this application, the totality of the prosecution history to date could not be ignored. This prosecution history includes: (1) an initial rejection over the currently asserted combination of prior art references to which Applicants responded; (2) a Final Rejection over the same set of references to which Applicants further responded indicating that previous arguments traversing the prior art rejections of the previous Office Action had not been adequately addressed; (3) a Notice of Appeal and Pre-Appeal Brief Request for Review that resulted in the Application being returned to the Group Art Unit for further prosecution; and (4) this rejection over the same combination of applied prior art references still not having addressed with requisite specificity the arguments Applicants have previously made on the record now at least three times.

The Examiners indicated that any further Office Action to issue regarding this application would include specific indications regarding where each of the elements recited in the pending claims was believed to be taught, or at least suggested, by the applied prior art references. Applicants' representative noted several features in numerous dependent claims

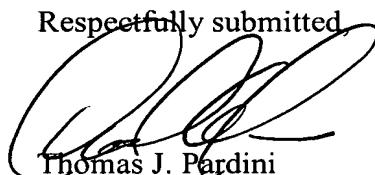
which had been separately addressed previously, that have never been shown to be even suggested by either of the applied prior art references, taken alone or in combination.

Finally, Applicants' representative addressed issues regarding the alleged combinability of the applied prior art references indicating Applicants' belief that the technologies disclosed in the references, and the problems addressed by the references, are disparate enough that one of ordinary skill in the art would not have been motivated to combine the references in the manner suggested by the Office Action.

The Examiners agreed to review the prosecution history of this application and Applicants arguments, in detail, before issuing any next Office Action.

Should any questions arise regarding this communication, all inquiries may be directed to Applicants undersigned representative at the telephone number set forth below.

Respectfully submitted,



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TJP:DAT/cfr

Date: September 26, 2006

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